

**UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE**

JEFFREY RYAN FENTON,

Plaintiff,

vs.

VIRGINIA LEE STORY, ET AL.,

Defendants.

)
)
) **CASE NO. 3:24-CV-01282**
) **JUDGE CAMPBELL**
)
) **JURY TRIAL DEMANDED**
)
)

DEFENDANT HOSTETTLER, NEUHOFF & DAVIS, LLC’S MOTION TO DISMISS

Defendant Hostettler, Neuhoff & Davis, LLC (“HND”), pursuant to Fed. R. Civ. P. 12(b)(5) and (6), files this Motion to Dismiss Plaintiff’s claims against it with prejudice. For the reasons stated within the accompanying Memorandum of Law, which is incorporated herein, Plaintiff has not properly served HND and fails to state a plausible claim against HND for which relief can be granted. As such, Plaintiff’s claims against HND should be dismissed.

Respectfully submitted,

/s/ Benjamin E. Goldammer
Benjamin E. Goldammer (#26328)
Danica G. Suedekum (#36031)
KAY GRIFFIN EVANS, PLLC
222 Second Ave. North, Suite 340-M
Nashville, TN 37201
(615) 742-4800 (phone)
(615) 742-4801 (fax)
bg@kaygriffin.com
dgrosko@kaygriffin.com
Attorneys for HND

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was filed electronically via the Court's ECF system. Notice of this filing will be sent to all parties listed below by US Mail, and the Court's electronic filing system for those registered, on this the 29th day of October, 2024.

Jeffrey Ryan Fenton
17195 Silver Parkway #150
Fenton, MI 48430

Brian Joseph Gallagher
Lennon Miller PLC
151 S Rose St., Ste. 900
Kalamazoo, MI 49007

Peako Andrea Jenkins
TN Attorney General's Office
PO Box 20207
Nashville, TN 37202

Attorneys for Michael Weimar Binkley, Elaine Beaty Beeler, Frank Goad Clement, Jr., Andy Dwane Bennett, William Neal McBrayer, James Michael Hivner, John Brandon Coke, Sandra Jane Leach Garrett, State of Tennessee, Williamson County Tennessee, Tennessee Administrative Office of the Courts, Tennessee Court of Appeals Middle Division, Chancery Court for Williamson County Tennessee, Williamson County Sheriff's Office, Supreme Court of Tennessee and Board of Professional Responsibility of the Supreme Court of Tennessee

Valerie Henning Mock
Wilson Elser Moskowitz Edelman & Dicker, LLP
17197 N. Laurel Park Drive, Ste. 201
Livonia, MI 48152
Attorney for Virginia Lee Story, Story and Abernathy, PLLC

Ryan D. Cobb
U.S. Attorney
The Law Bldg.
330 Ionia Ave., NW
Grand Rapids, MI 49501
Attorney for Charles M. Walker

Sandra J. Densham
Plunkett Cooney
333 Bridge St., NW, Ste. 530
Grand Rapids, MI 49504
Attorney for Roy Patrick Marlin and McArthur Sanders Real Estate

Bret Chaness
Rubin Lublin, LLC
3145 Avalon Ridge Place, St. 100
Peachtree Corners, GA 30071
Attorney for Rubin Lublin TN, PLLC

Michael L. Gutierrez
Tyler A. Burk
Butzel Long PC
300 Ottawa Ave., NW, Ste. 620
Grand Rapids, MI 49503
Attorneys for Cadence Bank, N.A.

Dawn Nicole Williams
Dykema Gossett PLLC
Capitol View Bldg.
201 Townsend St., Ste. 900
Lansing, MI 48933

Laura C. Baucus
Dykema Gossett PLLC
39577 Woodward Ave., Ste. 300
Bloomfield Hills, MI 48304
*Attorneys for Bank of America N.A. and Bank
of America Corporation*

Thomas E. Anderson
1187 Old Hickory Blvd., Ste. 125
Brentwood, TN 37027

Kathryn Lynn Yarbrough
1707 Stoney Hill Ln.
Spring Hill, TN 37174

Mary Elizabeth Maney Ausbrooks
120 Meadows Rd.
White House, TN 37188

Alexander Sergey Koval
5928 Stone Brook Dr.
Brentwood, TN 37027

Henry E. Hildebrand, III
217 Lauderdale Rd.
Nashville, TN 37205

Samuel Forrest Anderson
4509 Beacon Dr.
Nashville, TN 37215

Rothschild & Ausbrooks, PLLC
c/o RA: Mary Beth Ausbrooks
110 Glancy St., Ste. 109
Goodlettsville, TN 37072

Spragins, Barnett & Cobb, PLC
c/o RA: Alan Rheney
312 E. Lafayette St.
Jackson, TN 38301

Bankers Title & Escrow Corporation
c/o RA: R L Moore
3310 West End Ave., Ste. 540
Nashville, TN 37203

/s/ Benjamin E. Goldammer